

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Planning, Research & Development

**AGENDA DATE:** Introduction – November 16, 2004  
Public Hearing – December 07, 2004

**CONTACT PERSON/PHONE:** Fred Lopez, 541-4925

**DISTRICT(S) AFFECTED:** 6

**SUBJECT:**

An Ordinance changing the zoning of portion of Lot 3, Block 46, Sun Ridge Unit 12, El Paso, El Paso County, Texas from C-1/sc (Commercial/special contract) to C-3/sc (Commercial/special contract). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Peace Partners Car Wash, LLC. ZON04-00126 (District 6)

**BACKGROUND / DISCUSSION:**

See attachment.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Approval Recommendation  
City Plan Commission (CPC) – Approval Recommendation

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** George Sarmiento, AICP

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_



**PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT**  
**MEMORANDUM**

**DATE:** November 8, 2004

**TO:** The Honorable Mayor and City Council  
Ms. Joyce A. Wilson

**FROM:** Planning, Research & Development Department

**SUBJECT:** ZON04-00126

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The City Plan Commission (CPC), on October 28, 2004, voted **6 - 0** to recommend **APPROVAL** of rezoning the subject property from C-1/sc (Commercial/special contract to C-3/sc (Commercial/special contract), concurring with Staff's recommendation.

The CPC found that this rezoning is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this rezoning protects the best interest, health, safety and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

There was **OPPOSITION** to this request.

## **STAFF REPORT**

**Rezoning Case:** ZON04-00126

**Property Owner(s):** Peace Partners Car Wash, LLC

**Applicant(s):** Peace Partners Car Wash, LLC

**Representative(s):** Esteban Sansores

**Legal Description:** A portion of Lot 3, Block 46, Sun Ridge Unit 12

**Location:** Zaragoza Road North of Sun Fire Boulevard

**Representative District:** # 6

**Area:** 0.35 Acres

**Present Zoning:** C-1/sc (Commercial/special contract)

**Present Use:** Vacant

**Proposed Zoning:** C-3/sc (Commercial/special contract)

**Proposed Use:** Automotive repair shop

**Surrounding Land Uses:**

<b>North -</b>	A-O/sc/sp (Apartment/Office/special contract/special permit) / vacant
<b>South -</b>	C-1/sc (Commercial/special contract) / vacant
<b>East -</b>	C-1/sc (Commercial/special contract) / vacant
<b>West-</b>	C-1/sc (Commercial/special contract) / single-family residential

**Year 2025 Designation:** Residential (East Planning Area)

**CITY PLAN COMMISSION HEARING, October 28, 2004,  
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

**Zoning Case: ZON04-00126**

**General Information:**

The applicant is requesting a rezoning from C-1/sc (Commercial/special contract) to C-3/sc (Commercial/special contract) in order to permit an automotive repair shop. The property is 0.35 acres in size and is currently vacant. The proposed site plan shows a 3,520 sq. ft. building which will have an office and six (6) repair bays. Access is proposed via Zaragoza Road & Sun Country Road. There are zoning conditions imposed by a special contract dated 11/11/86 and amendment on 3/26/96.

**Information to the Commission:**

The Planning Department has received one (1) letter in opposition to this application.

**Staff Recommendation:**

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this request for rezoning from C-1/sc (Commercial/special contract) to C-3/sc (Commercial/special contract).

The recommendation is based on the following:

**The Plan for El Paso** City-Wide Land Use Goals recommend that El Paso “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development.”

**The Year 2025 Projected General Land Use Map** for the **East** Planning Area designates this property **for Residential** land uses.

**C-3/sc (Commercial/special permit) zoning** permits an automotive repair shop and **is compatible** with adjacent development.

The Commission must determine the following:

- A. Will the C-3/sc (Commercial/special contract) zoning protect the best interest, health, safety and welfare of the public in general?
- B. Will an automotive repair shop be compatible with adjacent land uses?

**Information To The Applicant:**

Building Permits and Inspections Department Notes:

No objections to the zoning change.

Engineering Department, Development Division Notes:

No comments.

Engineering Department, Traffic Division Notes:

- A. No apparent traffic concerns.
- B. Entrance on Zaragoza Road shall be coordinated with TXDOT.
- C. Sidewalks shall be provided on Zaragoza Road.

Fire Department Notes:

Zoning change does not adversely affect the Fire Department.

El Paso Water Utilities Notes:

See Enclosure 1.

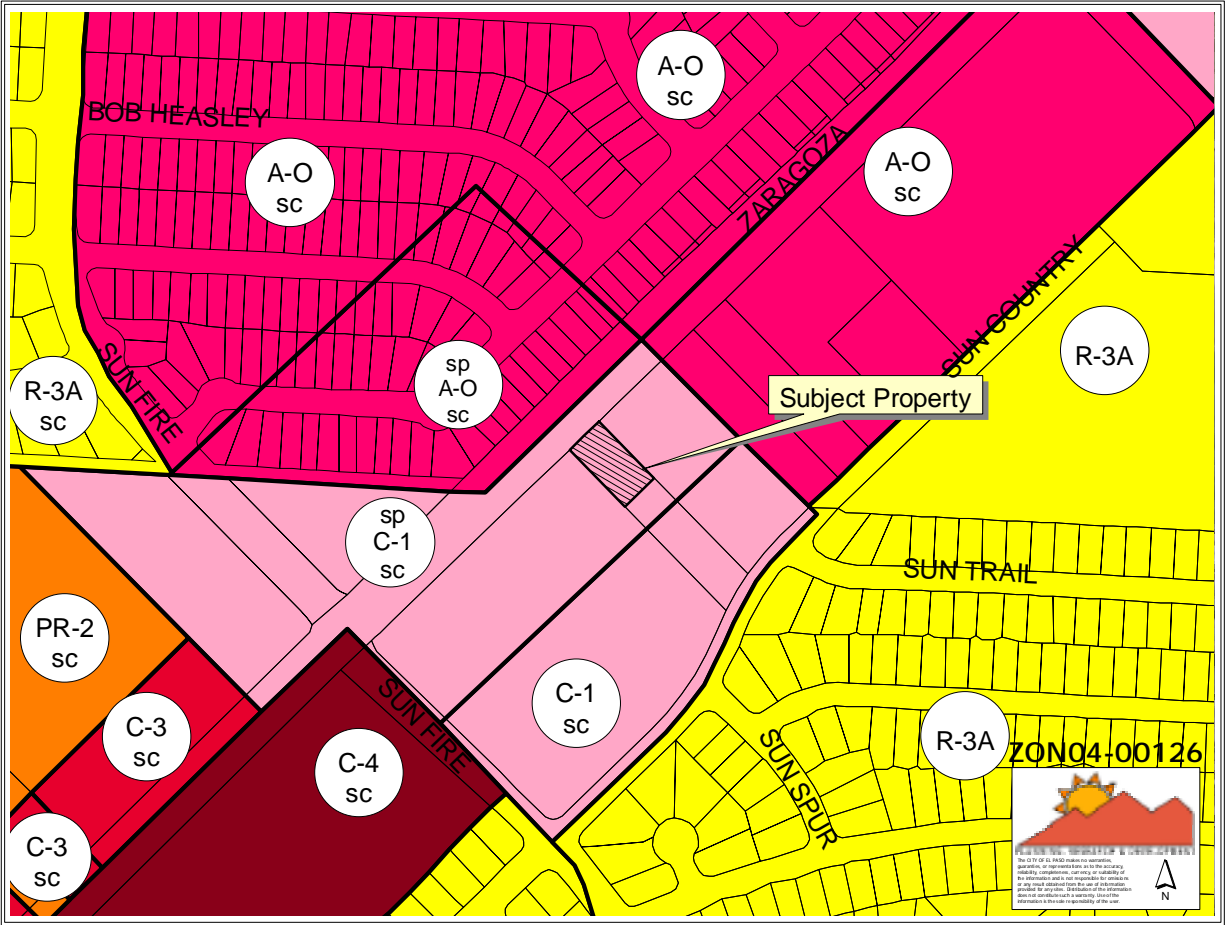
Planning, Research & Development Department Notes:

- A. The Year 2025 Projected General Land Use Map for the East Planning Area designates this property for Residential land uses.
- B. C-3/sc (Commercial/special permit) zoning permits an automotive repair shop and is compatible with adjacent development.

**ATTACHMENT:** Site Plan; Enclosure 1.

**NOTE TO THE PROPERTY OWNER:** CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (915) 541-4056.

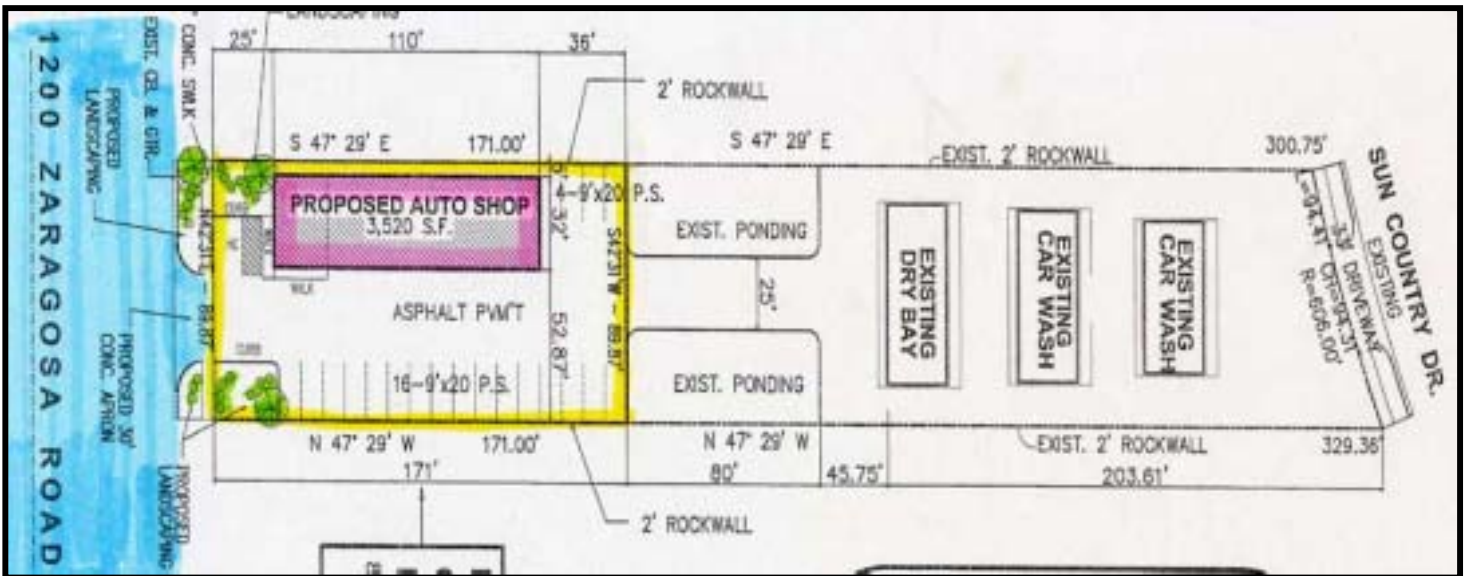
**ZONING MAP**



## AERIAL MAP



## GENERALIZED PLOT PLAN





## INTEROFFICE MEMORANDUM

To: Planning, Research & Development Department

From: El Paso Water Utilities - Engineering

Date: October 12, 2004

Subject: **ZON04- 00126 (Rezoning Case)**  
Portion of Lot 3, Block 46, Sun Ridge Unit 12 (the Property).

Location: Zaragoza Road north of Sun Fire Boulevard.  
Present: C-1 (Commercial /special contract); vacant  
Proposed: C-3/sc (Commercial /special contract); automotive repair shop and car wash

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We have reviewed the zoning change request described above and provide the following comments:

### **Water**

Immediately south and parallel to Zaragoza Road between Sun Fire Boulevard and Charles Schulte Street, there is existing sixteen (16) inch diameter water main. This main is located within an easement.

Along Sun Country Drive between Sun Fire Boulevard and Charles Schulte Street, there is an existing eight (8) inch diameter water main.

### **Sanitary Sewer**

Along Zaragoza Road between Sun Fire Boulevard and Charles Schulte Street, there are no existing sanitary sewer mains.

From the intersection of Sun Country Drive and Sun Trail Drive along Sun Country Drive towards the south there is an existing eight (8) inch diameter sanitary sewer main. This main dead ends at approximately 140 feet south of Sun Trail Drive.

### **General**

Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.

No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB.

The PSB easement shall be improved to allow the operation of EPWU maintenance vehicles.

In the event that the City of El Paso Fire Department requires additional fire hydrants on Public right-of-way and/or an on-site fire protection system within the private property, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Water service to this Property is anticipated to be provided from the above described sixteen (16) inch diameter water main.

Sanitary sewer service is anticipated to be provided from the above described eight (8) inch diameter sanitary sewer main located along Sun Country Drive. The Property Owner will be required to obtain a Sanitary Sewer Service Line Easement from the property located south to enable the construction and operation of the Sanitary Sewer Service Line to discharge unto the described sanitary sewer public main located along Sun Country Drive.

Application for water and sanitary sewer services should be made 6-8 weeks prior to any construction to ensure water for construction work. A site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance are required at the time of application. The certificate-of-compliance can be obtained on the 2nd floor at City Hall.

EPWU does not object to this request.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 3, BLOCK 46, SUN RIDGE UNIT 12, EL PASO, EL PASO COUNTY, TEXAS FROM C-1/SC (COMMERCIAL/SPECIAL CONTRACT) TO C-3/SC (COMMERCIAL/SPECIAL CONTRACT). THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the zoning of *a portion of Lot 3, Block 46, Sun Ridge Unit 12, El Paso, El Paso County, Texas*, as more particularly described by metes and bounds in the attached Exhibit "A", be changed **from C-1/sc (Commercial/special contract) to C-3 (Commercial/special contract)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

**THE CITY OF EL PASO**

\_\_\_\_\_  
Joe Wardy  
Mayor

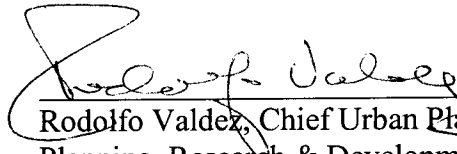
**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

(additional signatures on the following page)

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Fred Lopez, Zoning Coordinator  
Planning, Research & Development

  
\_\_\_\_\_  
Rodolfo Valdez, Chief Urban Planner  
Planning, Research & Development

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Matt Watson, Assistant City Attorney

**PORTION OF LOT 3, BLOCK 46  
SUN RIDGE SUBDIVISION, UNIT 12  
CITY OF EL PASO, TEXAS  
COUNTY OF EL PASO, TEXAS**

Legal description of a portion of Lot 3, Block 46, Sun Ridge Subdivision, Unit 12, being described by metes and bounds as follows;

Beginning at the centerline intersection of Zaragoza Road (F.M. 659) and Sun Fire Blvd., thence South 47°23'49" East, along the centerline of Sun Fire Blvd., a distance of 50.00 feet, thence North 42°31'00" East, along the Southerly R.O.W. line of Zaragoza Road, a distance of 596.19 feet to the POINT OF BEGINNING for this legal description:

Beginning at said point, thence North 42°31'00" East, along said Southerly R.O.W. line of Zaragoza Road, a distance of 89.87 feet;

Thence, South 47°29'00" East, a distance of 171.00 feet;

Thence, South 42°31'00" West, a distance of 89.87 feet;

Thence, North 47°29'00" West, a distance of 171.00 feet to the point of beginning for this Legal Description.

Said parcel of land containing 15,367.77 square feet or 0.3528 acre more or less.

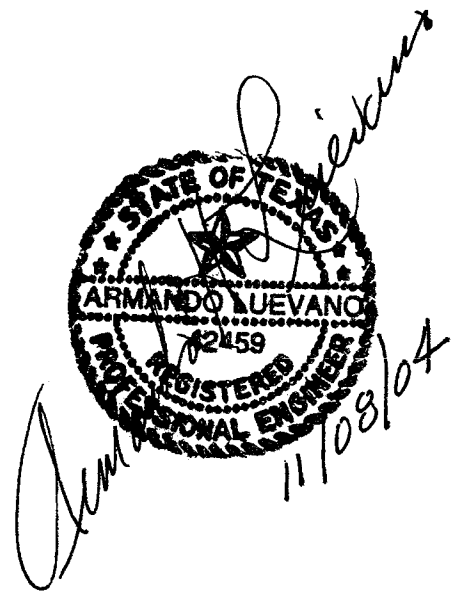


Exhibit "A"

20M04-00126